

## AMENDMENTS TO THE CLAIMS

Claims 1-34 (canceled)

Claim 35 (currently amended): A method of recording MPEG digital data onto a medium using only a digital watermark to control a recording process and for indicating the addition of a copy mark to the digital data, said method being executed by a video driver card, comprising the steps of:

- (a) detecting from said MPEG digital data any digital watermark that may be electronically embedded in said digital data, wherein said digital watermark is electronically embedded in said digital data through a transformation of said MPEG digital data;
- (b) if said digital watermark is detected, determining if said digital watermark specifies that a copy mark be embedded in said MPEG digital data so as to control subsequent recording of said MPEG digital data;
- (c) if the results of said detection step and said determination step indicate that subsequent recording of said MPEG digital data is to be controlled, embedding a copy mark in said MPEG digital data;
- (d) scrambling said MPEG digital data together with said watermark and said copy mark using an encryption key;
- (e) encoding subjecting said scrambled MPEG digital data to MPEG encoding using said encryption key; and
- (f) recording said scrambled and MPEG encoded digital data onto a medium so as to control subsequent copying or playback of said recorded digital data as a function of said copy mark.

Claim 36 (currently amended): The method of claim 35 wherein said copy mark indicates whether copying/recording of said MPEG digital data is to be stopped or continued.

Claim 37 (currently amended): A method of performing playback control of MPEG digital data that is both scrambled and encoded using a common encryption key for both

scrambling and encoding, to thereby produce scrambled and encoded MPEG digital data, wherein said scrambled and encoded MPEG digital data is then recorded onto a medium, said method being executed by a video driver card, comprising the steps of:

- (a) reading said scrambled and encoded MPEG digital data from said medium to thereby produce read MPEG digital data;
  - (b) descrambling ~~and decoding~~ said read MPEG digital data using said common encryption key, to thereby generate descrambled ~~and decoded~~ MPEG digital data;
  - (c) subjecting said descrambled MPEG digital data to MPEG decoding using said common encryption key, to thereby generate MPEG decoded digital data;
- [[c]](d) detecting any digital watermark and copy mark that is electronically embedded in said ~~descrambled and MPEG~~ decoded digital data, wherein said digital watermark is embedded in said descrambled and decoded MPEG digital data through a transformation of said MPEG digital data, and wherein said copy mark is embedded in said descrambled and decoded MPEG digital data as a function of a content of said digital watermark; and
- [[d]](e) controlling playback of said descrambled and decoded MPEG digital data using only said copy mark.

Claim 38 (currently amended): A video driver card for ~~decoding~~ scrambled and encoded controlling the inhibition of playback of digital data wherein original MPEG digital data is both scrambled and encoded using a common encryption key, said video driver card being physically disposed outside of a playback device and/or a recording device, comprising:

- (a) means for both descrambling and decoding said scrambled and encoded original MPEG digital data using said common encryption key, to thereby reproduce said original MPEG digital data;
- (b) means for detecting from said original MPEG digital data any digital watermark and digital copy mark electronically embedded in said original MPEG digital data, wherein said electronically embedded digital watermark is embedded in said original MPEG digital data through a transformation of said original MPEG digital data, and wherein said embedded digital copy mark is embedded in said original MPEG digital data as a function of a content of said digital watermark; and

(c) means for controlling inhibition of playback of said original MPEG digital data using only said digital copy mark.

Claim 39 (currently amended): The video driver card of claim 38 wherein ~~said original digital data is an MPEG stream, and wherein~~ said means for controlling inhibition of playback (c) includes means for determining whether or not outputting said original MPEG stream-digital data is to be performed, and includes means for outputting said original MPEG stream-digital data.

Claim 40 (currently amended): A player for playing-back scrambled and encoded MPEG digital data that is recorded onto a medium, wherein both scrambling and encoding of said MPEG digital data is performed using a common encryption key, said player being devoid of a video driver card, comprising:

- (a) means for reading said scrambled and encoded MPEG digital data from said medium;
- (b) means for both descrambling and decoding said read digital data using said common encryption key, to thereby recover said MPEG digital data;
- (c) means for detecting from said recovered MPEG digital data any digital watermark and digital copy mark that is electronically embedded in said recovered MPEG digital data, wherein said digital watermark is electronically embedded through a transformation of said MPEG digital data, and wherein said digital watermark is electronically embedded as a function of a content of said digital watermark; and
- (d) means for controlling inhibition of playback of said recovered MPEG digital data using only said detected copy mark.

Claim 41 (currently amended): The player of claim 40 wherein ~~said recovered digital data is an MPEG stream, and wherein~~ said means for controlling inhibition of playback (d) includes means for determining whether or not outputting of said recovered MPEG stream is to be performed, and includes means for outputting said recovered MPEG stream.